(1)

(3) CHSL

Division Bench

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

MISC. APPEAL No. 693 /2003

APPELLNATS :
CLAIMANTS

1. Mannu Ram Kewat
   Caste Kewat, Age 38 years,
   S/o Late Rungurам Kewat.
2. Smt. Bachan Bai Kewat,
   Age 35 years W/o Mannu Kewat
3. Kumari Bisahin D/o Mannuram
   Kewat, Age 12 years (Minor)
4. Ram Charan S/o Mannu Ram
   Age about 10 years (Minor)
5. Moti Ram S/o Mannu Ram
   Kewat Aged about 8 yrs. (Minor)
6. Kumari Vidhya Bai D/o. Mannu
   Ram Aged about 6 years (Minor)
7. Parmesh S/o Mannu Kewt Aged
   4 years (Minor)

Appellant No. 3 to 7 (Minor),
Through Mannuram Kewat.

All R/o Village-Chuchunia, P.O.-Sargaon, Thana-Hirri, Distt.Bilaspur (C.G.)

VERSUS

RESPONDENTS :
(NON-APPLIANTS)

1. Fekuram@ Falu S/o Ramcharan
   Caste Sahu, Age about 23 years,
   Resident Mohbhatta, Thana
   Hirri, Distt. Bilaspur (C.G.)
2. Kailash Kumar Agrawal
   S/o Mohanlal Agrawal
   Resident Kargi Road, Kota,
   Tahsil and District Bilaspur
3. Gulabchand Agrawal
   S/o Brijmohan Agrawal
   R/o Village and Post Sargaon,
   Tahsil Mungeli, Distt. Bilaspur
4. The New India Insurance
   Company Limited Shakha office
   451501, Rajendra Nagar,
   Chowk, Bilaspur (C.G.)

P. R. No. 12/6/03
Presented by Shri S. Verma
dated 29.03.03

MISCELLANEOUS APPEAL UNDER SECTION 173 OF THE MOTOR VEHICLE ACT

HIGH COURT OF CHHATTISGARH; BILASPUR
(LOK ADALAT)

MISCELLANEOUS APPEAL No. 693 OF 2003

Appellants : Mannu Ram Kewat & Others

Versus

Respondents: Fekuram @ Falu & Others

(Arising out of Claim Case No. 5 of 2002)

3-2-2007

Appellant No.1 – Mannu Ram Kewat appears in person with Shri Kamlesh Goswami, counsel for all the appellants.

None for respondents No.1 to 3.

Shri. Sanjay Bhatt, Admn. Officer, The New India Assurance Co. Ltd. with Shri Ali Asgar, counsel for respondent No.4.

Appellant No.1 – Mannu Ram Kewat filed an application along with affidavit for permission to compromise the matter on behalf of minors/appellants No.3 to 7.

Not opposed.

Considered. Allowed.

In terms of compromise, award is passed as below:-

1) In addition to compensation already awarded by the Tribunal, respondent No.4 shall pay Rs.52,000/- (Rupees Fifty Two Thousand Only) to the appellants.
2) For disbursement and deposit in FDR, the Tribunal may pass appropriate orders.
3) The amount, if any, kept in deposit with Bank shall be payable under the orders of Tribunal in accordance with law.
4) Appellants shall be entitled to receive interest on the amount so deposited, if any.
5) In view of the above, appeal against respondents No.1 to 3 stands dismissed.
6) Out of the above amount, Rs.520/- (Rupees Five Hundred Twenty Only) shall be paid to counsel for the appellants directly by respondent No.4 towards counsel fee.
7) If the amount awarded is not deposited within a period of one month, the Insurance Company shall be liable to pay interest at the rate of 9% per annum thereafter.
8) Copy of the award shall be given to the parties free of cost.

Sd/-
V.K. Shrivastava
Judge

Sd/-
Member – Lok Adalat
High Court of Chhattisgarh
Bilaspur

Gowri